

Walter O'Cheskey
 Chapter 13 Trustee
 6308 Iola Avenue
 (806) 748-1980 Phone
 (806) 748-1956 Fax

IN THE UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF TEXAS
 ABILENE DIVISION

IN RE:

SCOTT LEE EAKIN
 LISA JANE EAKIN

CASE NO: 10-10086-RLJ-13
 HEARING DATE: 12/1/2010
 HEARING TIME: 11:00am

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND
 PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
017 0 U	CHASE	\$641.00	020 0 U	DISCOVER FINANCIAL SERVICES	\$6,000.00
025 0 U	HOME DEPOT CREDIT SERVICES	\$4,204.99	032 0 U	SUNBELT CREDIT	\$1,200.00
033 0 U	WELLS FARGO	\$20,000.00	034 0 U	WF FINANCIAL BANK	\$11,164.00

II.

SPECIFIC OBJECTIONS

No Objections

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<u>SECURED CREDITORS</u>							
008 0	ALASKA USA FEDERAL C/U	2004 FORD F250	\$20,982.33	\$21,341.00	10.00%	60	\$485.45 PAID BY TRUSTEE
	Extended term from 56 to 60 months. See modification below.						
009 0	CHRYSLER FINANCIAL SERVICES	2004 JEEP LIBERTY	\$3,892.81	\$9,825.00	10.00%	36	\$145.52 PAID BY TRUSTEE
011 0	TOYOTA MOTOR CREDIT CORP.	2005 PONTIAC SUNFIRE	\$8,553.11	\$8,464.00	10.00%	60	\$192.55 PAID BY TRUSTEE
	Extended term from 56 to 60 months. See modification below.						
012 0	CITIFINANCIAL SERVICES INC	2ND LIEN 713 W NORTH POINT RD, NC	\$14,845.60	\$56,583.00			SURRENDERED
013 0	HARNETT COUNTY TAX APPRAISAL OFFICE	09 PROPERTY TAXES - 713 W NORTH POINT RD, NC	\$0.00	\$55,930.00			SURRENDERED
014 0	WELLS FARGO HOME MORTGAGE	713 W NORTH POINT RD, SPRING LAKE, NC--STAY LIFTED	\$0.00	\$41,965.00			STAY LIFTED

UNSECURED GENERAL CREDITORS

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
011 1 U	TOYOTA MOTOR CREDIT CORP.	\$89.11	015 0 U	AAFES / MIL STAR / EXCHANGE	\$1,650.83
	SPLIT CLAIM/2005 PONTIAC SUNFIRE			PURCHASES	
016 0 U	ECAST SETTLEMENT CORPORATION	\$4,450.32	018 0 U	PRA RECEIVABLES MANAGEMENT	\$4,052.99
	PURCHASES			PURCHASES/CITIBANK THE HOME DEPOT	

019 0 U	DELL FINANCIAL SERVICES PURCHASES	\$2,553.22	021 0 U	GE MONEY BANK PURCHASES/ HOME DESIGN FURN	\$1,525.08
022 0 U	PRA RECEIVABLES MANAGEMENT PURCHASES/GEMB JC PENNEY	\$781.80	024 0 U	PRA RECEIVABLES MANAGEMENT PURCHASES/GEMB SAMS CLUB	\$3,730.86
026 0 U	HSBC BANK NEVADA NA PURCHASES/BEST BUY HSBC	\$689.14	027 0 U	HSBC BANK NEVADA NA PURCHASES/DAVIDS BRIDAL	\$425.60
028 0 U	AAFES / MIL STAR / EXCHANGE PURCHASES	\$6,651.76	030 0 U	PENTAGON FEDERAL CREDIT UNION PURCHASES	\$910.49
031 0 U	PRA RECEIVABLES MANAGEMENT PURCHASES/SAMS CLUB	\$722.44	037 0 U *	WELLS FARGO BANK NA PURCHASES Not provided for in confirmed plan.	\$3,099.71
038 0 U *	WELLS FARGO BANK NA PURCHASES Not provided for in confirmed plan.	\$8,444.52	049 0 U *	PRA RECEIVABLES MANAGEMENT PURCHASES/GEMB SAMS CLUB Not provided for in confirmed plan.	\$3,069.69

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

IV.

TRUSTEE'S PLAN MODIFICATION

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

Unless otherwise stated all creditors shall be treated over a 60 month plan term.

Debtor shall pay \$895 per month beginning April 2010 for 9 months; then Debtor shall pay \$916 per month beginning January 2011 for 4 months; then Debtor shall pay \$924 per month beginning May 2011 for 7 month; then Debtor shall pay \$963 per month beginning December 2011 for the remaining 40 months for a total plan base amount of \$56,707.00.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 12/1/2010 AT 11:00am CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 10/26/2010

/s/ Walter O'Cheskey

Walter O'Cheskey
Chapter 13 Trustee

AAFES / MIL STAR / EXCHANGE C/O CREDITORS BANKRUPTCY SERVICE PO BOX 740933 DALLAS TX 75374
AAFES PO BOX 78731 PHOENIX AZ 85062
ALASKA USA FEDERAL C/U PO BOX 196613 ANCHORAGE AK 99519
BANK OF AMERICA 4060 OGLETOWN STANTON RD NEWARK DE 19713
BARRETT DAFFIN FRAPPIER TURNER & ENGEL LLP 1900 ST JAMES PLACE SUITE 500 HOUSTON TX 77056
BASSEL & WILCOX PO BOX 11509 FORT WORTH TX 76110
CHASE BANK ONE CARD SERV WESTERVILLE OH 43081
CHRYSLER FINANCIAL 27777 INKSTER RD FARMINGTON HILLS MI 48334
CHRYSLER FINANCIAL PO BOX 860 ROANOKE TX 76262
CHRYSLER FINANCIAL SERVICES PO BOX 9001897 LOUISVILLE KY 40290
CHRYSLER FINANCIAL SVCS AMERICAS LLC DAIMLERCHRYSLER FINANCIAL SVCS AMERICAS PO BOX 860 ROANOKE TX 76262
CITIBANK USA ATTN: CENTRALIZED BANKRUPTCY PO BOX 20363 KANSAS CITY MO 64195
CITIFINANCIAL 300 ST PAUL PL BALTIMORE MD 21202
CITIFINANCIAL PO BOX 140069 IRVING TX 75019
CITIFINANCIAL SERVICES INC PO BOX 70919 CHARLOTTE NC 28272
DELL FINANCIAL SERVICES C/O RESURGENT CAPITAL SERVICES PO BOX 10390 GREENVILLE SC 29603
DELL FINANCIAL SERVICES PO BOX 81577 AUSTIN TX 78708
DISCOVER FINANCIAL SERVICES PO BOX 3025 NEW ALBANY OH 43054
DISCOVER PO BOX 15192 WILMINGTON DE 19850
ECAST SETTLEMENT CORPORATION PO BOX 29262 NEW YORK NY 10087
GE MONEY BANK ATTN BANKRUPTCY DEPARTMENT PO BOX 960061 ORLANDO FL 32896
GEMB JCP ATTN BANKRUPTCY DEPT PO BOX 103104 ROSWELL GA 30076
GEMB PO BOX 981439 EL PASO TX 79998
GEMB SAMS CLUB DC ATTENTION BANKRUPTCY PO BOX 103106 ROSWELL GA 30076
HARNETT COUNTY TAX APPRAISAL OFFICE 305 W CORNELIUS HARNETT BLVD STE 101 LILLINTON NC 27546
HOME DEPOT CREDIT SERVICES PO BOX 689100 DES MOINES IA 50368
HSBC BANK NEVADA NA BASS & ASSOCIATES PC 3936 FT LOWELL SUITE 200 TUCSON AZ 85712
HSBC PO BOX 5263 CAROL STREAM IL 60197
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114
JC PENNEY PO BOX 533 DALLAS TX 75221
MIL STAR ATTENTION BANKRUPTCY PO BOX 650062 DALLAS TX 75265
MONTE J WHITE & ASSOCIATES PC ATTORNEY AT LAW ABILENE 402 CYPRESS SUITE 310 ABILENE TX 79601
PENTAGON FEDERAL CREDIT UNION PO BOX 1432 ALEXANDRIA VA 22313
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541
SAMS CLUB BANKRUPTCY PO BOX 105968 ATLANTA GA 30348
SCOTT LEE EAKIN & LISA JANE EAKIN 13001 DUFFY RD LEXINGTON OK 73051
SUNBELT CREDIT WFNB PO BOX 182686 COLUMBUS OH 43218
TOYOTA MOTOR CREDIT CORP. 14100 SAN PEDRO AVE SUITE 410 SAN ANTONIO TX 78232
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530
WELLS FARGO BANK NA 4137 121ST STREET URBANDALE IA 50323
WELLS FARGO BANK NA ATTN REMITTANCE PROCESSING PO BOX 14487 DES MOINES IA 50306
WELLS FARGO COLLECTION SERV 1ST FLOOR M PO BOX 31557 BILLINGS MT 59107
WELLS FARGO HOME MORTGAGE 4680 HALLMARK PARKWAY SAN BERNARDINO CA 92407
WF FINANCIAL BANK WELLS FARGO FINANCIAL 4137 121ST URBENDALE IA 50323
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242